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6 UNITED STATES DISTRICT COURT
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8 DISTRICT OF NEVADA

9 THOMAS GREGORY SHEA,
10 Plaintiff,

11 vs.

12 UNITED STATES OF AMERICA, *et al.*,
13 Defendants.

Case No.: 3:17-CV-00405-RCJ-VPC

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION (ECF
NO. 4)

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15 The Court has considered the Report and Recommendation of United States Magistrate
16 (ECF No. 4) entered on April 16, 2018, in which the Magistrate Judge recommends the Court
17 grant Plaintiff's IFP (ECF No. 1); the Clerk file Plaintiff's Complaint (ECF No. 1-1). The Court
18 has considered the pleadings and memoranda of the parties and other relevant matters of record
19 and has made a review and determination in accordance with the requirements of 28 U.S.C. §
20 636 and applicable case law, and good cause appearing, the court hereby,
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22 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
23 Magistrate Judge (ECF No. 4).

24 IT IS HEREBY ORDERED that Plaintiff's Application to proceed *In Forma Pauperis*
25 (ECF No. 1) is GRANTED.

26 IT IS FURTHER ORDERED that the Clerk shall file Plaintiff's Complaint (ECF No. 1-1).
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1 IT IS FURTHER ORDERED that Plaintiff's claims against the United States of America
2 be DISMISSED WITH PREJUDICE.

3 IT IS FURTHER ORDERED that Plaintiff's Fourth Amendment claim for seizure of his
4 legal documents be DISMISSED WITH PREJUDICE.

5 IT IS FURTHER ORDERED that Plaintiff's Fifth Amendment Takings Clause claim be
6 DISMISSED WITH PREJUDICE.

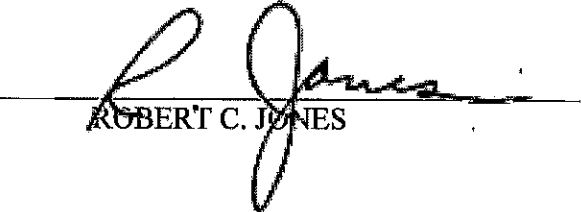
7 IT IS FURTHER ORDERED that Plaintiff's Sixth Amendment right to fair trial claim be
8 DISMISSED WITHOUT PREJUDICE.

9 IT IS FURTHER ORDERED that the Complaint is DISMISSED WITHOUT
10 PREJUDICE, WITH LEAVE TO AMEND as to all remaining claims.

11 IT IS FURTHER ORDERED that Plaintiff's Motion/Notice (ECF No. 10) shall be
12 construed by the Court as a motion for extension of time to is GRANTED.

13 IT IS FURTHER ORDERED that Plaintiff shall file an amended complaint remedying, if
14 possible, the defects identified in the Report and Recommendation (ECF No. 4) on or before
15 September 28, 2018. If Plaintiff files an amended complaint, it will be screened pursuant to 28
16 U.S.C. § 1915A. No further extensions of time shall be granted.

17 IT IS HEREBY ORDERED this 7th day of August, 2018.

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ROBERT C. JONES